IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3422 OF 2005
IN
FIRST APPEAL NO.1405 OF 2005

The New India Assurance Co.Ltd. ..Applicant
Vs.
Shri.Rajesh Satyadev Bhandari and Anr. ..Respondents

...
Mr.S.M.Vidyarthi for Applicant
Mr.S.M.Gorwadkar for Respondent No.1
...

CORAM: DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.
DATE : DECEMBER 19,2005

P.C.

1. The learned counsel for the Applicant states that the entire balance decretal amount has already been deposited in the trial Court as per the decree. He further states that an amount of Rs.25,000/- has been deposited in this Court along with the Appeal. Since sum of Rs.25,000/- is deposited along with the Appeal, office is directed to transfer the said sum of Rs.25,000/- deposited in this Court, to the trial Court.

2. The Respondent No.1 is entitled to receive out of the entire decretal amount lying with the trial Court, a sum of Rs.4,81,494/- plus total interest

accrued on the entire compensation awarded in favour of Respondent.

3. The Respondent No.1 is entitled to withdraw periodically the interest out of sum of Rs.20 lakhs which has been directed to be invested in fixed deposit in a nationalised bank initially for a period of 39 months and to be renewed from time to time thereafter.

4. In view of the above, Civil Application made absolute in terms of prayer clause (a) subject to the above directions.

[DR.S.RADHAKRISHNAN, J.]

[SMT.V.K.TAHILRAMANI,J.]